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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
13
14 SAN JOSE DIVISION

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18 UNITED STATES OF AMERICA,) No. CR 12-00701-DLJ
19 Plaintiff,) STIPULATION AND []
20 vs.) ORDER CONTINUING STATUS
21 BRENTA JO KIBBEE,) HEARING DATE TO SEPTEMBER 19,
22 Defendant.) 2013 AND EXCLUDING TIME UNDER
THE SPEEDY TRIAL ACT
23
24

STIPULATION

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26 Defendant Brenda Jo Kibbee, by and through Assistant Federal Public Defender Varell L.
Fuller, and the United States, by and through United States Department of Justice Trial Attorney
Matthew J Kluge, hereby stipulate that, with the Court's approval, the status hearing currently
set for Thursday, August 1, 2013, at 9:00 a.m., shall be continued to Thursday, September 19,
2013, at 9:00 a.m.

The reason for the requested continuance is to permit defense counsel additional time to
effectively prepare and review the voluminous discovery provided in this matter. The parties
therefore respectfully requests a continuance of the status hearing previously set in this matter to
September 19, 2013.

1 The parties further agree that the time between August 1, 2013, and September 19, 2013,
2 may be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for
3 effective preparation by defense counsel.

Dated: July 24, 2013

/s/
VARELL L. FULLER
Assistant Federal Public Defender

7 || Dated: July 24, 2013

/s/
MATTHEW J. KLUGE
Trial Attorney, Tax Division
United States Department of Justice

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[] ORDER

11 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
12 ORDERED that the hearing currently set for Thursday, August 1, 2013, shall be continued to
13 Thursday, September 19, 2013, at 9:00 a.m.

14 THE COURT FINDS that failing to exclude the time between August 1, 2013, and
15 September 19, 2013, would unreasonably deny the defendant reasonable time necessary for
16 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§
17 3161(h)(7)(B)(iv).

18 THE COURT FINDS that the ends of justice served by excluding the time between
19 August 1, 2013, and September 19, 2013, from computation under the Speedy Trial Act
20 outweigh the interests of the public and the defendant in a speedy trial.

21 THEREFORE, IT IS HEREBY ORDERED that the time between August 1, 2013, and
22 September 19, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C.
23 § 3161(h)(7)(A) and (B)(iv).

24 || IT IS SO ORDERED.

25 || Dated: 10/10/10


THE HONORABLE D. LOWELL JENSEN
United States District Judge